

# SENATE BILL REPORT

## SB 5418

---

---

As of February 8, 2009

**Title:** An act relating to electric vehicles.

**Brief Description:** Regarding electric vehicles.

**Sponsors:** Senators Jarrett, Rockefeller, Parlette, Swecker, Brandland, Marr, Jacobsen, Kastama, Kilmer, Murray, Berkey, Haugen, Pridemore, Oemig, Kohl-Welles, McAuliffe, McDermott and Kline.

**Brief History:**

**Committee Activity:** Environment, Water & Energy: 1/30/09.

---

### SENATE COMMITTEE ON ENVIRONMENT, WATER & ENERGY

**Staff:** Jan Odano (786-7486)

**Background:** Unlike a hybrid or conventional vehicle, electric vehicles (EV) are powered exclusively by electricity. The electricity to power the EV is stored in a battery, which must be recharged. Most EVs charge up at night when system-wide demand for electricity is low, and to allow for the time to recharge. The batteries tap existing generating capacity that is not fully used rather than increasing demand for new capacity.

Because EVs are powered by electricity, they have no tailpipe emissions. Increasing the number of EVs would reduce the amount of pollutants released into the air, water, and reliance on foreign oil. However, currently the driving range for EVs is limited to 40-50 miles. Unlike combustion powered vehicles that have refueling stations available, there is not a similar infrastructure in place for EVs. To transform the current transportation system to electric powered vehicles would require a system for recharging and exchanging batteries for EVs.

**Summary of Bill:** Counties with a population greater than 500,000 must have an implementation schedule with a goal to have electric vehicle ready private and public parking spaces staged in by 2 percent as of December 31, 2013, to 10 percent by December 31, 2018. In addition, governmental entities operating existing park and ride and off-street parking facilities must provide electric vehicle-ready spaces at this phasing-in rate.

---

*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

The Department of General Administration (GA) must install electric vehicle charging outlets in each of the state's fleet parking and maintenance facilities. By the year 2015, GA must install recharging outlets at each state-owned highway rest stop and must install or lease space to install battery exchange stations for all electric vehicles.

GA must phase in the use of electricity or biofuel for publicly owned vehicles and vessels from 10 percent in the year 2012 to 100 percent by the year 2016.

All new state, regional, and local government construction must include electric vehicle infrastructure in publicly available parking, as well as for government fleet vehicle parking. GA and CTED must develop the appropriate ratio for exclusive and reserved electric vehicle charge spaces based on the type of facility or building. Property owners leasing to governmental entities must retrofit for electric vehicle infrastructure. New public universities, colleges, commercial airports, park and rides, ferry terminals, and any government agency site with 400 or more parking spaces must provide space for an exchange station.

Siting, permitting, and installation of electric vehicle infrastructure is not subject to SEPA requirement except for use in critical areas, and construction or use exceeds maximum levels as specified in rule. However, local jurisdictions must condition permits for development for all new proposed new commercial and multi-family developments with adjacent on-street parking with requirements for circuitry to support electric vehicle infrastructure in all adjacent spots and active charge spots in 10 percent of adjacent parking spaces directly related to vehicular transportation needs for the proposed development. Local jurisdictions must allow an electric vehicle system operator or infrastructure owner to install battery recharging stations or outlets in garages, on public streets, on public sidewalks, and in municipal building parking sites.

The Department of Transportation must allow the construction of exchange and quick charging stations in, or adjacent to, appropriate state highway rest stops and weigh stations. The electric vehicle system operators or infrastructure owners must pay installation costs to the extent practicable.

The State Building Code Council (Council) must adopt rules for electric vehicle infrastructure. When adopting the rules, the Council must consider applicable national and international standards. The building code must require all new parking garages, parking lots, retail over 12,000 square feet, office buildings, multi-family housing, and single-family homes to have electric circuitry required to support electric vehicle charging infrastructure for every parking space. The electric vehicle charging infrastructure retrofitting must be proportionate to additions or modifications to retail and office space.

The sales and use of electric vehicles, electric vehicle batteries, and the installation of electric vehicle infrastructure are exempt from retail sales, use, and local retail and use taxes. For the purpose of property taxes, the assessed value is determined without regard to electric vehicle infrastructure. Tenants leasing public lands are exempt from leasehold excise tax when installing, maintaining, or operating electric vehicle infrastructure. In addition, businesses may receive a tax credit for costs incurred from installing electric vehicle infrastructure. The credit can be taken for ten years or until the deduction equals the amount of the costs.

The Workforce Training and Education Board (Board) must work with stakeholders to develop the workforce needed to support an electrified transportation network and vehicle fleet. The Board must develop a strategic plan to ensure an adequate workforce for an electrified transportation network. By December 31, 2010, and annually thereafter, the Board must report to the Governor and Legislature with recommendations and progress on the State Plan. The jobs created to support an electrified transportation network and vehicle fleet count towards the goal of the green economy jobs growth initiative.

**Appropriation:** None.

**Fiscal Note:** Requested on January 25, 2009.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:**

Summary of testimony

PRO: The bill will help to reduce GHG and increase clean energy jobs and stimulate the economy. This will give another tool to address GHG emission reductions. It will enable more consumers to use electric vehicles and provide the driving distance ranges currently experienced with internal combustion engines. This will help to reduce reliance on foreign oil. The electrical power system has the capacity for growth expected from the early implementation. It is a good idea to determine how to make this work in advance is a good idea.

Other: There are concurrency issues with the permitting process for conditions of permitting for project proposals and approval by local entities. The plan for project must have provisions to build to 100% capacity even if the power capacity is not available. The capital costs to private development could be quite high to install the electric infrastructure as proposed in the bill. The program should be voluntary to allow for the current economic situation. The accelerated schedule requiring the use of biofuels and electric use is of concern since it is dependent on rules that have not yet been established. Local jurisdictions should retain the ability to site and condition this infrastructure. The tax exemptions may have impacts on strained city revenues. The differences between urban and rural areas needs to be addressed. The elimination of appeals process to GMA and exemption to SEPA requirements needs to be discussed.

**Persons Testifying:** Pro: Sen. Fred Jarrett, Prime Sponsor, Elizabeth Wilmott, King County, Graeme Sackrison, Dave Williams, Asso. of WA Cities, Scott Merriman, WSAC, Cliff Traiman, Better Place, WA Conservation Voters, WA Environmental Council; Jeff Miller, Better Place, Mike Ryherd, Puget Sound Clean Air Agency; Jessica Finn-Coven Climate Solutions, Tayloe Taylor, Jeff Doyle, WA DOT, Holly Chisa, WA Grocers.

Other: Greg Hanon, National Association of Industrial and Office Properties, Scott Hazlegrove